

751—8.4(8D) Factors for decision maker. In the event that a challenge exists the chair of the commission or the executive director, or the commission's designee (decision maker) shall decide which authorized user or users shall be granted use of the network facilities or services available at the time requested. In making such a decision, the decision maker shall consider all relevant factors known to the decision maker including, but not limited to, the following factors:

1. Timing of request;
2. Regional telecommunications council and education telecommunications council policies if conflict involves educational users;
3. Nature, frequency or duration of the use requested;
4. Site availability;
5. Number of users requesting use;
6. Whether the use is an educational use;
7. Any other factor deemed relevant by the decision maker based upon the evidence presented or information available.